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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,913	11/27/2001	Simon Edwin Crouch	1509-249	7390

22879 7590 05/26/2005

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EXAMINER

VO, HUYEN X

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/994,913

Applicant(s)

CROUCH ET AL.

Examiner

Huyen Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5-8,11-18,21,22,28,29 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5-8,11-18,21,22,28,29 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant has submitted an amendment filed 1/21/2005, amending pending claims while arguing to traverse the art rejection based on amended limitations (see *claim amendment*). Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection necessitated by claim amendment in view of Asaoka et al. (*EP 901000*) and Nishimura et al. (*US 6035272*).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5-8, 11-18, 21-22, 28-29, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asaoka et al. (*EP 901000*) in view of Nishimura et al. (*US 6035272*).

4. Regarding claims 1 and 21, Asaoka et al. disclose a content presentation method comprising: requesting, from a content server, a content page comprising content to be presented to a user (*col. 5, lines 1-15*); determining a voice tone to be used in synthesizing an email message retrieved from the server (*referring to col. 7-10*); and

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presenting the email content of the requested content page to said user with at least one attribute of the presentation, other than or additional to the content presented and language in which it is presented, being set in dependence on said presentation-controlling locality (*synthesized speech using a particular voice tone is outputted via speaker 16 and associated text is displayed on the display device 15 in figure 1*).

Asaoka et al. fail to specifically disclose the step of determining presentation-controlling locality from locality data included in the requested content page or associated with that page otherwise than through being locally data determined to indicate the current locality of said user or of apparatus physically associated with the user. However, Nishimura et al. teach the step of determining presentation-controlling locality from locality data included in the requested content page or associated with that page otherwise than through being locally data determined to indicate the current locality of said user or of apparatus physically associated with the user (*figure 2 or col. 3, line 45 to col. 4, line 13, phonemic transcription and prosody such as accent type are sent to the client device from the host computer/server. The client device performs speech synthesis based on the received information*).

Since Asaoka et al. and Nishimura et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Asaoka et al. by incorporating the teaching of Nishimura et al. in order ^{to} personalize the read-aloud messages.

5. Regarding claims 5-6, Asaoka et al. further disclose a method according to claim 1, wherein said content is presented at least partially in a visual manner and/or by sound, said at least one attribute being a visual attribute and/or audio attribute (*Display Device 15 in figure 1 and/or speaker 16 in figure 1*).

6. Regarding claims 8 and 22, Asaoka et al. fail to specifically disclose that the requested content page is intended for use with a style sheet, presentation of said content including selecting a style sheet according to said presentation-controlling locality and applying the style sheet in presenting said content. However, Nishimura et al. further teach that the requested content page is intended for use with a style sheet, presentation of said content including selecting a style sheet according to said presentation-controlling locality and applying the style sheet in presenting said content (*figure 2 or col. 3, line 45 to col. 4, line 13, phonemic transcription and prosody such as accent type are sent to the client device from the host computer/server. The client device performs speech synthesis based on the received information*).

Since Asaoka et al. and Nishimura et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Asaoka et al. by incorporating the teaching of Nishimura et al. in order to personalize the read-aloud messages.

7. Regarding claims 11-12 and 14-15, Asaoka et al. further disclose that the style sheet is selected from a set of locality-dependent, this set being specified by the user

(col. 9, lines 1-31, the user can preprogram a particular voice tone for each particular email sender) or by the content server by a style-sheet-set reference associated with the content page (col. 9, lines, 32-58, the sever determine a particular voice tone for a particular user), and wherein steps according to claim 1 are affected by apparatus physically associated with the user (figure 1, speech synthesis is performed at the client device and user can preprogram a particular voice tone for each email sender).

8. Regarding claims 7 and 13, Asaoka et al. fail to specifically disclose that the content is presented by voice with the accent of the voice being set to reflect a regional accent appropriate to said presentation-controlling locality. However, Nishimura et al. further teach that the content is presented by voice with the accent of the voice being set to reflect a regional accent appropriate to said presentation-controlling locality *(figure 2 or col. 3, line 45 to col. 4, line 13, phonemic transcription and prosody such as accent type are sent to the client device from the host computer/server. The client device performs speech synthesis based on the received information).*

Since Asaoka et al. and Nishimura et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Asaoka et al. by incorporating the teaching of Nishimura et al. in order personalize the read-aloud messages.

9. Regarding claim 16, Asaoka et al. further disclose that the presentation-controlling locality is fetched from the server apparatus physically associated with the

user (col. 9, lines 32-58, a particular voice tone is program for each particular user stored at the server accessible by the client device).

10. Regarding claims 17 and 28, Asaoka et al. disclose a presentation method and apparatus for content pages intended for use with a presentation style sheet, the method comprising: retrieving a content page to be presented to a user (*col. 5, lines 1-15*); determining a voice tone to be used in synthesizing an email message retrieved from the server (*referring to col. 7-10*); and presenting the retrieved content page using the retrieved style sheet (*synthesized speech using a particular voice tone is outputted via speaker 16 and associated text is displayed on the display device 15 in figure 1*).

Asaoka et al. fail to specifically disclose the step of determining a presentation-controlling locality from locality data included in the retrieved content page or associated with that page otherwise than through being locality data determined to indicate the current locality of said user or of apparatus physically associated with the user; and retrieving a presentation style sheet in dependence on said presentation-controlling locality. However, Nishimura et al. teach the step of determining a presentation-controlling locality from locality data included in the retrieved content page or associated with that page otherwise than through being locality data determined to indicate the current locality of said user or of apparatus physically associated with the user (*figure 2 or col. 3, line 45 to col. 4, line 13, phonemic transcription and prosody such as accent type are sent to the client device from the host computer/server. The client device performs speech synthesis based on the received information*), and retrieving a

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presentation style sheet in dependence on said presentation-controlling locality (*col. 3, line 45 to col. 4, line 13*).

Since Asaoka et al. and Nishimura et al. are analogous art because they are from the same field of endeavors, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Asaoka et al. by incorporating the teaching of Nishimura et al. in order to personalize the read-aloud messages.

11. Regarding claims 18 and 29, Asaoka et al. further disclose that the content page is presented at least partially by sound (*speaker 16 in figure 1*), the retrieved style sheet being an audio style sheet (*synthesized speech is based on selected voice tone*).

12. Regarding claim 32, Asaoka et al. further disclose that the presentation-controlling locality is a locality associated with one of an originator of the content page, a publisher of the content page, and a party controlling the content server (*speech synthesizer or voice processing device 17 in figure 1 is considered as a publisher of the content page in figure 1*).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Albuquerk et al. (US 5929848) teach an interactive personal interpretive device for retrieving information about a plurality of objects that is considered pertinent to the claimed invention.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

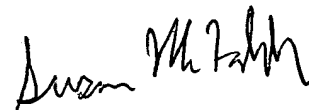
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Vo whose telephone number is 703-305-8665. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HXV

5/18/2005


SUSAN MCFADDEN
PRIMARY EXAMINER